

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

MARISSA COLLINS, on her own behalf, and on behalf of all others similarly situated, and JAMES BURNETT, on behalf of his son, and on behalf of all others similarly situated, and KARYN SANCHEZ, on behalf of her minor son and all others similarly situated,

Plaintiffs,

v.

ANTHEM, INC. and  
ANTHEM UM SERVICES, INC.

Defendants.

Civil Action No. 2:20-cv-01969 (FB) (SIL)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the annexed Declaration of Michelle Kersey dated March 8, 2021, together with the exhibits annexed thereto, and the accompanying memorandum of Law dated March 8, 2021, Defendants Anthem, Inc. and Anthem UM Services, Inc. will move this Court, before the Honorable Frederic Block, United States District Judge for the Eastern District of New York, in Courtroom 10C, of the Federal Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201, at a date and time to be determined by the Court, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, granting dismissal with prejudice of (i) Counts I, III and IV of Plaintiffs' Amended Complaint; (2) all allegations in the Amended Complaint regarding substance use disorder guidelines, and (3) Count II of the Amended Complaint as to Plaintiff Karyn Sanchez; and such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's February 4, 2021 Order, any opposition briefs shall be served on or before April 7, 2021, and any reply briefs shall be served on or before April 28, 2021.

Dated: March 8, 2021

Respectfully submitted,

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